

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

CONSUMER FINANCIAL PROTECTION BUREAU

PLAINTIFF

VS.

CIVIL ACTION NO. 3:16-cv-00356-WHB-JCG

**ALL AMERICAN CHECK CASHING, INC.;
MID-STATE FINANCE, INC.; and
MICHAEL E. GRAY, individually**

DEFENDANTS

PLAINTIFF'S THIRD MOTION TO COMPEL DISCOVERY RESPONSES

Plaintiff, Consumer Financial Protection Bureau (“Bureau” or “Plaintiff”), hereby moves the Court, pursuant to Federal Rule of Civil Procedure 37, for an Order compelling production of documents and responses to interrogatories by Defendant All American Check Cashing, Inc. (“AACC”). In support of this Motion, the Bureau states:

1. AACC has not responded fully to Interrogatories 1, 4, and 5, and has not provided any information in response to Interrogatories 6, 8, and 9, from the Bureau’s Second Set of Interrogatories served on March 3, 2017;
2. AACC has not responded fully to Requests for Production 8, 9, and 18, and has not produced any documents in response to Requests for Production 10-15, from the Bureau’s Third Requests for Production served on March 3, 2017; and
3. AACC has not produced all documents in the format required by the Court’s March 16, 2017 Order granting the Bureau’s First and Second Motions to Compel Discovery Responses. See ECF No. 92 (“March 16 Order”).

For these reasons, and the ones set forth in the Bureau’s Memorandum Brief filed contemporaneously with this Motion, the Bureau respectfully requests that the Court enter an Order requiring that AACC (1) fully respond to the Bureau’s Interrogatories 1,

4-6, and 8-9 from the Bureau's Second Set of Interrogatories; (2) produce all non-privileged documents responsive to Requests 8-15 and 18 from the Bureau's Third Requests for Production of Documents, or state that no responsive documents exist; and (3) provide all documents in the format required by the Court's March 16 Order.¹

Dated: May 23, 2017

Respectfully submitted,

CONSUMER FINANCIAL PROTECTION BUREAU

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¹ As described in detail in the Bureau's Memorandum Brief, the parties have been unable to resolve these disputes through negotiation. Pursuant to L.U.CIV.R. 37(a), Bureau counsel requested Defendants' counsel sign a Good Faith Certificate, confirming that the parties had conferred in good faith concerning the issues raised in this motion. See Mintz Declaration, ¶¶ 2-4. Defendants' counsel have not signed and returned the certificate. See *id.*, ¶ 4.

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CERTIFICATE OF SERVICE

I hereby certify that on May 23, 2017, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which sent notification of such filing to all counsel of record.

s/Emily Mintz
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